

REMARKS

Claims 65 and 142-175 are pending in this application. In the Office Action mailed February 28, 2006, certain previously pending claims were rejected under 35 U.S.C. §§ 102(e) or 103(a) as being anticipated or obvious in view of International Patent Publication No. WO 03/008803 to Pas ("Pas"), alone or in combination with one or more other references.

Applicants submit herewith a Declaration Under 37 C.F.R. § 1.131 executed by each inventor establishing invention of the claimed subject matter of this application prior to July 17, 2002, the effective date of Pas. By the submission of the attached Declaration, Applicants show conception of the inventions described and claimed in the pending claims prior to July 17, 2002, coupled with due diligence prior to July 17, 2002, to September 13, 2002, the filing date of U.S. Provisional Patent Application Serial No. 60/410,300 to which the above-identified application claims priority. The U.S. provisional patent application includes text and drawings that fully support at least the independent claims 65, 156, and 172 of this application.

In view of this, Applicants request that Pas be removed as a prior art reference against the pending claims of this application. Accordingly, for the reasons stated in the Reply to Office Action filed on August 28, 2006, and in light of the removal of Pas as a prior art reference, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

In view of the nature of certain evidence included in the attached Declaration, Applicants reserve the right to submit an appropriate declaration under 37 C.F.R. § 1.131 to remove the rejections in view of Pas by showing actual reduction to practice


of the invention prior to July 17, 2002, and/or conception of the inventions described and claimed in the pending claims prior to July 17, 2002, coupled with due diligence from prior to July 17, 2002, to a subsequent actual reduction to practice of the invention.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 18, 2006

By: 
Denise L. Poy
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Attachments: Four (4) separately executed copies of a Declaration Under 37 C.F.R. § 1.131.